

Application No. 10/588,380
Amendment dated September 14, 2009
Reply to Office Action of June 12, 2009

Docket No.: 1190-0633PUS1

CORRECTIONS TO THE DRAWINGS

Please find following amended Drawings attached:

--FIGS. 33A-C have been labeled as "Prior Art."--

Replacement Drawings Attached (1 Sheet)

REMARKS

Claims 1-36 are pending. By this response, the Drawings are corrected. Reconsideration and allowance are respectfully requested.

Allowable Subject Matter

Applicants appreciate the indication of claims 25-36 as being allowed and claims 3-19 and 21-24 as containing allowable subject matter.

Drawings

It is alleged that FIGS. 33A – C should be designated as “Prior Art.” In response, Applicants have corrected FIGS. 33A-C by labeling them as “Prior Art.” Accordingly, withdrawal of the objection to the Drawings is respectfully requested.

Prior Art Rejection

Claims 1, 2 and 20 stand rejected under 35 U.S.C. §102(b) in view of Cloutier (US 5,966,387). This rejection is respectfully traversed.

Claim 1 recites, *inter alia*, the control means calculates a clock frequency deviation between a data sending device and a data receiving device in accordance with an integration result of an amount of the received packet data temporarily stored in the storage means and a measurement result of the integration time.

Claim 20 recites, *inter alia*, a clock frequency deviation between a data sending device and a data receiving device is calculated in accordance with an integration result of an amount of the received packet data temporarily stored in the storage means and a measurement result of the integration time.

Applicants respectfully submit that these features are not taught by Cloutier.

Cloutier teaches methods similar to those discussed in the Background Art of applicants specification in which a determination of jitter, which in Cloutier is the delay in receiving data streams between an expected arrival time and the actual arrival time at the receiver of the data streams, is performed. A clock reference (PCR) is provided which represents an expected arrival time. The actual arrival time can then be determined from the PCR value. Thus, the jitter in the system can be determined using a plurality of these measurements. See Col. 11, lines 20-28 and Col. 12, lines 12-16.

Further, as disclosed in Cloutier, a time stamp is updated based on the common clock determination as disclosed in Cols. 12 and 13. However, the determination of the jitter in Cloutier or the difference in arrival of the data packets at the receiver does not pertain to the calculation of clock frequency deviation as recited in Applicants independent claims 1 and 20. Nowhere does Cloutier teach or suggest the determination of clock frequency deviation and the manner claimed. Applicants claims refer to the integration results and the amount of received data packets in integration time to calculate of the clock frequency deviation. This is not taught by Cloutier.

Thus, in view of the above, Applicants respectfully submit that Cloutier fails to teach each and every feature of independent claims 1 and 20 as required. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

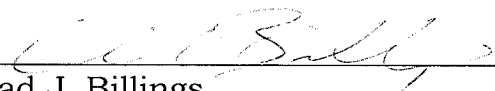
For at least the above reasons Applicants respectfully submit claims 1-36 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings Reg. No. 48,917 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: September 14, 2009

Respectfully submitted,

By 
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